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Legal Representatives for Complainant

**BEFORE THE  
RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

DARYLE ARTHUR JAGER  
25 Beacon Street, Apt. 20  
Somerville MA 02143

Applicant/Respondent

RCB Case No. S-391

**STIPULATED SETTLEMENT FOR  
PUBLIC REPRIMAND AND  
DISCIPLINARY ORDER**

In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Respiratory Care Board, Department of Consumer Affairs, State of California ("Board"), the parties hereby agree to the following Stipulated Settlement For Public Reprimand and Disciplinary Order which will be submitted to the Board for approval and adoption as the final disposition of the Statement of Issues in Case No. S-391.

**PARTIES**

1. At the time of the filing of the Statement of Issues in Case No. S-391, complainant Stephanie Nunez was the Executive Officer of the Board and brought this action solely in her official capacity. Complainant is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California, Supervising Deputy Attorney General Jose R. Guerrero, and by Catherine Santillan, Senior Legal Analyst.

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1                   2.     Applicant/Respondent DARYLE ARTHUR JAGER, (“respondent”), is  
2 aware of his right to be represented by an attorney in this matter, but has elected to represent  
3 himself.

4                   3.     Respondent has submitted an application for licensure to the Board.

5                                   JURISDICTION

6                   4.     Statement of Issues No. S-391 (“Statement of Issues”) was filed before the  
7 Board and is currently pending against respondent. The Statement of Issues, together with all  
8 other statutorily required documents, was duly served on the respondent in accordance with the  
9 California Administrative Procedure Act and respondent has filed a Notice of Defense. A copy  
10 of said Statement of Issues is attached as **Exhibit A** and incorporated herein by reference.

11                                   ADVISEMENT AND WAIVERS

12                   5.     Respondent has carefully read and fully understands the nature of the  
13 charges alleged in the Statement of Issues and the effects of this Stipulated Settlement For Public  
14 Reprimand and Disciplinary Order (“Stipulation”).

15                   6.     Respondent understands that the charges and allegations in the Statement  
16 of Issues, if proven at a hearing, constitute cause for imposing discipline upon his Respiratory  
17 Care Practitioner License. Respondent is fully aware of his legal rights and that, but for this  
18 Stipulation, he would be entitled: 1) to a hearing on the charges and allegations in the Statement  
19 of Issues; 2) to be represented by counsel, at his own expense, in all proceedings in this matter; 3)  
20 to confront and cross-examine the witnesses against him; 4) to present evidence on his own  
21 behalf and to the issuance of subpoenas to compel the attendance of witnesses and the production  
22 of documents; 5) to reconsideration and appeal of an adverse decision; and 6) all other rights  
23 accorded pursuant to the California Administrative Procedure Act and other applicable laws.

24                   7.     With these rights in mind, respondent freely, voluntarily, knowingly, and  
25 intelligently waives and gives up each and every right set forth above.

26                                   ADMISSIONS

27                   8.     Respondent admits the charges and allegations in Statement of Issues No.  
28 S-391 constitute cause for imposing discipline upon his Respiratory Care Practitioner License.

9. For the purpose of resolving the Statement of Issues without the expense and uncertainty of further proceedings, Respondent gives up his right to contest those charges.

10. Respondent agrees that his Respiratory Care Practitioner License is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Order below.

## CONTINGENCY

11. This Stipulation shall be subject to the approval of the Board. Respondent understands and agrees that Board staff and counsel for complainant may communicate directly with the Board regarding this Stipulation, without notice to or participation by respondent or his representative. If the Board fails to adopt this Stipulation as its Disciplinary Order, the Stipulation shall be of no force or effect, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action in this matter by virtue of its consideration of this Stipulation.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board shall, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

## DISCIPLINARY ORDER

IT IS HEREBY ORDERED that DARYLE ARTHUR JAGER, Respiratory Care Practitioner License Applicant, is hereby publicly reprimanded by the Respiratory Care Board. This Stipulated Settlement For Public Reprimand and Disciplinary Order shall constitute the formal public reprimand; in addition, as part of this Stipulation, respondent agrees as follows:

A. No further violation of the law will occur; and

B. Respondent is hereby ordered to reimburse the Board the amount of \$757.50 for its investigative and prosecution costs. The amount shall be paid in full within twelve (12) months of the effective date of this Disciplinary Order, unless the Board agrees in writing to payment by a different installment plan because of financial hardship. The filing of bankruptcy by the respondent shall not relieve the respondent of the responsibility to reimburse the Board for its investigative and prosecution costs.

1 C. Failure to timely reimburse the Board for its investigative and  
2 prosecution costs in the amount set forth above shall constitute unprofessional conduct pursuant  
3 to Business and Professions Code section 3755 for purposes of further disciplinary proceedings.  
4 In addition, the Board may withhold renewal of respondent's Respiratory Care Practitioner  
5 License.

6 ACCEPTANCE

7 I have read the above Stipulated Settlement For Public Reprimand and  
8 Disciplinary Order. I fully understand the terms and conditions and other matters contained  
9 therein. I understand the effect this Stipulation will have on my Respiratory Care Practitioner  
10 License, and agree to be bound thereby. I enter this Stipulation freely, voluntarily, knowingly,  
11 intelligently and voluntarily.

12 DATED: December 20, 2007.

13  
14 Original signed by:  
15 DARYLE ARTHUR JAGER  
16 Applicant/Respondent

17 ENDORSEMENT

18 The foregoing Stipulated Settlement For Public Reprimand and Disciplinary  
19 Order is hereby respectfully submitted for consideration by the Respiratory Care Board,  
20 Department of Consumer Affairs, State of California.

21 DATED: January 8, 2008.

22  
23 EDMUND G. BROWN JR., Attorney General  
24 of the State of California

25 Original signed by:  
26 CATHERINE E. SANTILLAN  
27 Senior Legal Analyst

28 Legal Representative for Complainant

**BEFORE THE  
RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
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In the Matter of the Statement of Issues Against:

RCB Case No. S-391

DARYLE ARTHUR JAGER  
25 Beacon Street, Apt. 20  
Somerville, MA 02143

Respondent.

**DECISION AND ORDER**

The attached Stipulated Settlement For Public Reprimand and Disciplinary Order is hereby adopted by the Respiratory Care Board, Department of Consumer Affairs, State of California, as its Decision in the above entitled matter.

This Decision shall be effective on February 22, 2008.

It is so ORDERED February 8, 2008.

Original signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT  
PRESIDENT, RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA